

## **REDMOND PLANNING COMMISSION MINUTES**

August 18, 2004

**COMMISSIONERS PRESENT:** Chairperson Snodgrass, Commissioners Allen, Dunn, McCarthy, Parnell, Petitpas

**STAFF PRESENT:** Terry Marpert, Sarah Stiteler, Dianna Broadie, Lori Peckol, Redmond Planning Department

**RECORDING SECRETARY:** Gerry Lindsay

### **CALL TO ORDER**

The meeting was called to order at 7:00 p.m. by Chair Snodgrass in the Public Safety Building Council Chambers.

### **APPROVAL OF THE AGENDA**

The agenda was modified to add a short discussion of the Parks Element following Items from the Audience. The agenda as modified was approved by acclamation.

### **ITEMS FROM THE AUDIENCE**

Mr. Donald Marcy, 524 2<sup>nd</sup> Avenue, Seattle, spoke on behalf of Microsoft Corporation. He noted that after a great deal of back and forth conversation there was finally agreement with the staff recommendation for the language of Policy TR-40. The Commission was urged to substitute the agreed-on language for what currently is in TR-40 in version 5.0 of the Proposed Transportation Element.

Chair Snodgrass thanked Mr. Marcy for working with staff on the issues and said he was pleased to see progress made in working with the business community.

### **DISCUSSION OF PARKS ELEMENT**

Chair Snodgrass noted that additional and revised language as part of this element was reviewed and supported by Commissioner Query according to an email from her. He said the issue would be kept open for comment until the end of business August 19 and the draft will be forwarded to the Council for review. The Commission is slated to act to recommend the Parks Element on September 1.

Attention was next placed on the language proposed by Commissioner Parnell to incorporate other types of interactive recreational opportunities such as pea patches as part of a policy in the Parks, Recreation and Arts Element. Chair Snodgrass indicated his general support for the language offered by Commissioner Parnell. He noted, however, that it sounds somewhat mandatory and suggested revising it to read "...residents of all

ages by considering the incorporation of active recreation, sensory and contemplative elements such as....”

Senior Planner Sarah Stiteler suggested that incorporating those elements into City parks would be appropriate. Taken together, policies PR-19, PR-20 and the newly proposed policy involve a flow of thought to show that the park system includes a variety of things. The reader can follow the notion of variety by reading them together. It was agreed to change “...incorporation in all City parks...” to “incorporation into City parks....” It was also agreed to change the word “active” to “interactive.”

Ms. Stiteler offered a staff-written version of the policy for review. Commissioner Allen said she preferred “cultivate and provide” over “preserve,” which could be understood to mean maintaining the status quo.

It was agreed the policy should read “Cultivate community and provide uses for residents of all ages by considering the incorporation of interactive recreational, sensory and contemplative elements such as water features, public gardens, pea patches and picnic areas into City parks.”

## **PUBLIC HEARING AND STUDY SESSION**

2003-2004 Comprehensive Plan Update  
– Utilities Element; Capital Facilities Element

Chair Snodgrass declared the public hearing open.

Senior Planner Dianna Broadie explained that the Utilities Element contains sections that talk about the general adequacy of public utilities; the economic considerations of how utilities are funded and measures that can be taken to lower costs; environmental considerations; sources of water to be used into the future; facility design of sewer and stormwater systems; solid waste systems; integration of non city-managed utilities plans, including the electrical system, natural gas, telecommunications, and hazardous liquid pipelines.

Ms. Broadie said the dated text in the Utilities Element will be eliminated in the update, and references to new organizations and functional plans will be folded in. Some policies are recommended to be moved out of the element, and some are proposed for elimination. The new concepts proposed for inclusion include: requiring the undergrounding of individual lines when there are significant upgrades to a property; elimination of requirements to screen utility infrastructure; additional restrictions on new septic systems; and support for website communication.

Principal Planner Terry Marpert explained that the Capital Facilities Element has a planning horizon of 2022. The plan calls for an inventory of all capital facilities based on the established facilities plans for fire, stormwater, police and so forth. The element is home to the investment policies the City has for financing capital facilities. The Capital

Facilities Element contains policies and financial forecasts developed in the functional plans. All functional plans should have a uniform format with forecasts extending out to the 2022 planning horizon and the build-out period under the Land Use Plan. A solid public outreach plan is an important part of any functional plan.

Continuing, Mr. Marpert allowed that in the past there has not been as strong a connection as there could be between the Comprehensive Plan Capital Facilities Element and the various functional plans. The proposed Capital Facilities Element update requires a good connection and sets forth an assessment process with criteria for determining consistency as functional plans are updated or prepared.

The Capital Facilities Element also includes a section on level-of-service.

Policy CF-6 in the capital facilities financial plan works to identify and forecast revenues beyond six years out. The purpose is to get a better handle on the cost of growth to the City and where additional revenues can be generated to pay for new growth-serving capital facilities. Policy CF-9 addresses what should be done when revenue shortfalls occur. Policy CF-12 establishes the principle concerning allocation of the City's unrestricted capital reserves, which are general funds that can be broadly allocated, and seeks to establish what percentage of the general funds should flow to the various functional areas.

Mr. Marpert said Policy CF-13 addresses how much growth should pay for new capital facilities necessary to serve new growth.

Redmond does not currently charge development a school impact fee. That position could be reversed in the future, and Policy CF-15 provides guidance should that be considered.

Mr. Marpert said the last section of the element looks to the future and attempts to provide policy guidance for identifying public lands that will be necessary to serve the urbanizing areas of the City.

There were no members of the public wishing to address the Planning Commission at the public hearing.

Chair Snodgrass declared the public hearing closed.

Commissioner Allen asked staff to outline the major changes to the policies of the element. Mr. Marpert called attention first to Policy CF-2 noting that it is in the City's best interest to define functional plans in a more specific and uniform way. The level-of service standards in the proposed update have not changed.

Mr. Marpert said the section regarding the unrestricted capital reserves does include quite a few revisions. A close look should be given to Policy CF-12 that states that Redmond must develop a true capital facilities financial plan that looks out to 2022.

Answering a question asked by Chair Snodgrass, Mr. Marpert allowed that the City does not currently have a percentage set aside for art for all capital projects. If such a recommendation were to be formulated, the policy likely would be included in the capital facilities plan or in the PRO plan.

Chair Snodgrass said he did not see anything in the document that mandates a public process for the adoption of functional plans. Mr. Marpert said Policy CF-4 talks about a functional plan that is entirely consistent with the policies in the Comprehensive Plan. Such a plan would be reviewed administratively. Where functional plans are not consistent with the Comprehensive Plan, a Comprehensive Plan amendment process would be used in considering new functional plans. This would require a public process.

Chair Snodgrass asked to have added to the issues list the issue of whether or not the policies adequately address the public adoption process for functional plans.

Commissioner Parnell called attention to the last bullet point of Policy CF-4 calls for delaying updates to functional plans when a major update to the Comprehensive Plan is expected within a year. The Commission is nearly ready to forward to the City Council an updated Parks, Recreation, Open Space and Arts Element for review and approval, which appears to be in direct conflict with Policy CF-4 as written. Mr. Marpert said the proposed delay approach is new and seeks to avoid creating something that in a very short time could become inconsistent. The updated Park Element is already being considered as part of the Comprehensive Plan update, and this is consistent with the intent of proposed Policy FC-4.

Chair Snodgrass called attention to Policy CF-5 and commented that as proposed it appears to be a step backwards to the old LOS standards. Mr. Marpert said while it may appear that way, that is not the case. The current system will need to remain in place until a new Transportation Master Plan is adopted. Once that occurs the new concurrency and level-of-service requirements will be updated. Chair Snodgrass asked to have the issue added to the issues list.

Answering a question asked by Chair Snodgrass Mr. Marpert said current policy earmarks five percent of all unrestricted General Fund revenues that must be applied to capital facilities. The specific allocation percentages for each functional area is established by Comprehensive Plan policy; the five percent figure is not. Chair Snodgrass said he would like to explore whether or not there should be a Comprehensive Plan policy addressing the percentage of unrestricted revenues to be held for capital facilities.

With regard to Table CF-1, Chair Snodgrass questioned whether it is even necessary to establish in the Comprehensive Plan the listed proportionate allocations. He allowed that there may be valid historical or policy reasons behind the numbers, and if so the Commission should be informed as to what they are. The allocation percentages could be better addressed annually by the administration. Mr. Marpert said having the exact allocation percentages included in the Comprehensive Plan allows the various City

departments to budget based on a fixed percentage of the unrestricted funds. Chair Snodgrass said at the very least the Commission should understand what the Mayor and the Council thinks of the issue.

Chair Snodgrass asked if the annual adjustment highlighted in Policy CF-14 is new. Mr. Marpert allowed that it is; currently there is no index system, and the last time the impact fees were adjusted was nearly five years ago.

Commissioner McCarthy referred to Policy CF-5 and pointed out that no capital facility level-of-service is included for the police. He asked why not, adding that a mandated level-of-service could help with staffing issues in that department. Mr. Marpert said there is no level of service requirement for the police because the department typically does not require significant amounts of money for capital spending. The number of officers on the street is a service issue, not a capital issue.

Commissioner Parnell asked if the number of jail cells is a capital facilities issue that could appropriately be spelled out in the plan. Mr. Marpert said the provision of jail space is certainly a capital issue. However, the City currently has a facility that is capable of serving the projected growth into the future. No increase in the standard is anticipated for the near term. The City contracts out for long-term jail services.

Commissioner McCarthy referred to Policy CF-8 and asked why the City allows individual projects to not have to meet the particular financial balance requirement. Mr. Marpert said he would have to seek a response to the question, and the issue was put on the issues list.

Commissioner McCarthy asked if the provisions of Policy CF-19 in the current Capital Facilities Element are proposed for removal because of the changes that will come about as a result of the Transportation Master Plan. Mr. Marpert said concurrency is going to be used for transportation. There is no formal concurrency standard for any of the other capital facilities, which is likely why concurrency was exempted in Policy CF-19. He allowed that the provisions of the policy should be spelled out in CF-A; he added the issue to the issues list.

Commissioner McCarthy asked if the provisions of Policy CF-10 are currently being followed by the City. Mr. Marpert allowed that the City is, adding that the proposed policy language does not represent a significant departure from what is currently done.

Calling attention to the fifth bullet of Policy CF-14, Commissioner McCarthy asked why the issue is even stated in policy given that the City is prohibited by law from using fee proceeds to correct existing capital facilities deficiencies. Mr. Marpert allowed that while the practice is prohibited by state law, it is also a principle that needs to be kept in the forefront as impact fees are contemplated. It was agreed to place the issue on the issues list.

Commissioner Parnell asked what “adopt by reference” as used in Policy CF-3 means. Chair Snodgrass said it is a legal term that means something mentioned in the Comprehensive Plan does not have to be made an actual part of the Comprehensive Plan binder.

Mr. Marpert said under the proposed policies, all functional plans in the future will be much more systematic and will use common terms. Plans deemed by staff to be consistent with the Comprehensive Plan will not need to be reviewed by the Commission, unless the Commission requests to review them; all other functional plans will be reviewed by the Commission. Chair Snodgrass pointed out that unless someone brings to the attention of the Commission that a functional plan is being written, the Commission will not be prepared to ask for a review, even if it is deemed to be consistent with the Comprehensive Plan.

It was agreed to put the issue on the issues list for further review.

Commissioner Petitpas called attention to the fourth bullet of Policy CF-14 and suggested using a stronger word than “reasonably.” Mr. Marpert said the first bullet point echoes state law and the following points are intended to provide give some directional definition.

Commissioner Allen suggested that the fourth bullet really adds nothing substantial. Chair Snodgrass explained that when impact fees are assessed, they are based on hypothetical projections. The collected funds must be set aside and spent only on improvements related to growth. The fourth bullet point takes things a step further and may in fact be too specific.

It was agreed that the issue should be given more attention.

Commissioner Dunn noted that the functional plans have more than just a capital component. She asked if the requirements for adequate funding, maintenance, reporting and the like apply equally to the capital portion of the functional plans. The issue was added to the issues list.

Commissioner Dunn suggested that we consider whether an art program should be mentioned in policies CF-1, CF-12, Table CF-1, and in the impact fees section.

Commissioner Dunn referred to the third bullet under Policy CF-13 and asked if the implication is that the City must match the developer’s portion of growth paying for growth. Mr. Marpert said the term “growth pays for growth” refers specifically to growth’s share of needed capital facilities. The implication is that the growth portion should be balanced with revenues for the non growth-related portion. Commissioner Dunn asked to have added to the issues list the notion of taking another look at the wording of the policy.

Commissioner Dunn said the “growth pays for growth” position should include a discussion of who should pay for things like character.

Commissioner Parnell called attention to Policy CF-5 and suggested that the Commission should consider whether or not level of service standards should be established for private utilities, such as cable television and trash collection. With regard to Policy CF-13, he suggested that “or redevelopment” should be added to the end of the third bullet point. Turning to Policy CF-17, he proposed that because land on which a water feature is to be constructed must be identified in the PRO plan, it should also be identified in the Comprehensive Plan.

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## **STUDY SESSION**

### **2003-2004 Comprehensive Plan Update – Transportation Element**

Chair Snodgrass called attention to Policy TR-5 and suggested that because the issue is also covered in Policy TR-18, it could be eliminated.

With regard to Policy TR-9, Chair Snodgrass noted that the language valuing community character with as much importance as system capacity somehow got deleted in Version 5 absent consent from the Commission.

Commissioner Parnell argued in favor of adding “and livability” to the phrase “community character” in the policy. Commissioner Petitpas suggested that that is a part of what community character is. Chair Snodgrass voiced concern that adding a reference to livability would open issues that have not been addressed by the Commission.

Commissioner Dunn expressed reluctance to call out community character over and above other issues. She said she would prefer to see the paragraph retained as written without the last sentence.

It was agreed that the language valuing community character should be reinstated and moved to the head of the policy.

Chair Snodgrass proposed a non-substantive rewrite of Policy TR-21 for purposes of clarity only. Minor revisions to his proposed wording were offered and accepted by the Commission.

Chair Snodgrass said noted that the phrase “pedestrian friendly” was previously used in Policy TR-31. The suggestion of staff is to drop the word “friendly” on the grounds that an area specifically designed for pedestrians can by definition be considered to be friendly to pedestrians. The Commissioners agreed to leave out “friendly.”

Chair Snodgrass stressed the importance of adding to policies TR-31 and TR-32 the fact that the Pedestrian Plan and the Bicycle Plan are concurrency elements of the plan-based approach.

Commissioner Dunn called attention to Policy TR-4 and voiced concern over use of the term “level of service standard” given that under the new regime the level of service standard is redefined as proportionality. Mr. Marpert said the word “standard” has a specific meaning under state law. The term used as proposed in the policy has specific meaning with regard to how the City will meter construction of the transportation system to follow land use and growth. Commissioner Dunn agreed to retain the term.

With regard to the second bullet under Policy TR-32, Commissioner Dunn suggested that the recreational use of bicycles should be listed as a part of the PRO plan. Chair Snodgrass stated that the bicycle system plan for the City should incorporate elements of both recreational and non-recreational facilities. The policy does not, however, necessarily imply that recreational facilities will be used in determining proportionality under the plan-based approach to concurrency. Recreational bicycle facilities will not be included in the transportation management plan.

Mr. Marpert said it is a bit difficult to draw a line between the two types of bicycle uses. Staff does not seek to determine what proportion of drivers on the streets are out for recreational purposes versus those driving to work. He allowed that the phrase “recreational and non-recreational” could be pulled from the policy language altogether. There was agreement to take that approach.

Commissioner Dunn stressed the need to make the policies clear with regard to the fact that the concurrency test will be based on proportionality. She offered revisions to Policy TR-8 to clearly outline what the test for concurrency will be. Mr. Marpert called attention to Policy TR-4 in which the level of service standard is shown to be proportionality. He suggested that Policy TR-4 is the right place to make the distinction, not Policy TR-8; he added that as rewritten by Commissioner Dunn, Policy TR-8 could lead to confusion on the part of the readers.

There was agreement to accept the proposed staff language for Policy TR-8.

Commissioner Dunn called attention to Policy TR-9 and the fact that there is no specific language that says the City will conduct project-level testing. SEPA and the current regulations provide for that, but there is no policy language support.

Chair Snodgrass allowed that some trust will have to be placed in the staff planning process. Part of long-range transportation management planning is consideration of the projected uses. Proper planning should accommodate for the highest possible use for any given area, with all necessary facilities on the planning board.

Mr. Marpert agreed that for any project that comes in there needs to be some kind of assessment of the unique traits of the use that could cause problems in the City; the



assessment needs to be made before any project approval is given. All projects must be subjected to a SEPA checklist, and nothing in the new approach will obviate the need to conduct traffic analyses. The way to deal with uses that are unique and outside the margins of the Comprehensive Plan and transportation package is to work through the SEPA checklist and either agree or disagree with the developer. If the developer contests the conclusions of staff, an Environmental Impact Statement is required; that in-depth study will disclose the unique impacts of the use prior to any approval.

Commissioner Dunn allowed that approval could be given for a project that will cause significant traffic problems on the grounds that a project in the transportation management plan will address the issue. However, that particular improvement project could be eight years out, and in the meantime considerable traffic delays could result. Mr. Marpert said the beauty of the plan-based approach is the action up front to decide on the best land uses for the various areas and planning ahead for the infrastructure that will be needed to serve those uses, while protecting the character of neighborhoods and balancing capacity against safety. As projects come forward, the developers will be shown the planned street system and be told their project will have to fit within the system.

Commissioner Allen commented that the decisions with regard to what is going to get built and how things should be shifted around are being made all the time but at the staff level. Under the proposed approach, the decisions will be shifted to the political level where they will occur in a very public format. She allowed that the transition period could be messy, though ultimately the City will be better served.

Commissioner Petitpas said the plan-based approach is the best way to assure the big picture will be kept intact for the long run.

Motion to add a policy with language similar to “When a specific project has a significant unanticipated impact on the transportation system, the City may require additional interim mitigation prior to completion” was made by Commissioner Dunn; second was by Chair Snodgrass. The motion failed 3-3 with Commissioners Dunn, Petitpas and Parnell voting for, and Chair Snodgrass and Commissioners McCarthy and Allen voting against.

Commissioner McCarthy commented that while flexibility is good, the policy language should not be written in a manner that will allow too many projects an out. The plan-based approach should force a good public debate.

Commissioner Dunn proposed including policy language with regard to fair share as it relates to developers, the city, the state and regional partners, and how the various entities relate to funding character and maintenance. Chair Snodgrass said fair share as an issue is addressed in the Capital Facilities Element. There are some legal responsibilities with regard to fair share, but they are not well delineated with regard to the allocating of responsibilities to other agencies and outside jurisdictions. Adding language would not accomplish anything.

Commissioner McCarthy concurred with Chair Snodgrass. He said the issue is covered elsewhere and no purpose would be served by trying to broaden the transportation section of the Comprehensive Plan.

Commissioner Allen proposed that the issue of fair share is an overarching notion. She said she could see difficulties associated with incrementalizing it too much. The City never knows what contributions it will be able to get for any given project.

Chair Snodgrass said he would prefer not to try defining what fair share is in policy language. The best approach will be to handle it on a case-by-case basis.

Commissioner Allen suggested that when the topic on the table is impact fees there should be some discussion about who should pay for growth as well as all the other pieces, including character. She allowed that from a legal standpoint it is still an open question as to whether or not the impact fees can have a character component. Growth does and will impact character, and the City should have some position on how the issue should be addressed financially.

Motion to provide greater policy direction on the funding that goes beyond just the developer's contribution was made by Commissioner Dunn; second was by Chair Snodgrass and the motion failed 4-1, with Commissioner Dunn casting the only vote for. Commissioner Parnell abstained from voting.

Motion to extend the meeting beyond 10:00 p.m. was made by Commissioner Allen. Second was by Commissioner Petitpas and the motion carried unanimously.

Commissioner Dunn asked if the Transportation Master Plan will outline how all of the systemwide projects will come online as well as how the City intends to accomplish other types of improvements, such as frontage improvements and bicycle and pedestrian connections. Mr. Marpert assured the Planning Commission that the scope of the Transportation Master Plan includes those improvements.

Referring to the new Policy TR-11, Commissioner McCarthy noted that a requirement for an annual monitoring report had been added. He said he did not recall the Commission having a discussion about that issue. Mr. Marpert said the language of Policy TR-11 is intended to underscore the importance of the report to the Commission and the Council on the progress being made. An annual report will be critical to the success of the approach.

There was consensus to accept the language of Policy TR-40 as agreed to by staff and Microsoft.

Motion to adopt the Transportation Element as outlined in Version 5.0, subject to the amendments made by the Commission, and to have the finalized version reviewed by the Chair, was made by Commissioner Allen. Second was by Commissioner Parnell.

Commissioner Dunn allowed that it has taken the Commission a great deal of work to bring the element to where it is. Staff and the Commission have worked well together. She indicated that she would vote for the motion but also include a minority position focused on two or three specific issues.

The motion carried unanimously.

Chair Snodgrass told Mr. Marpert that he and staff deserves a big hand for all of the efforts that have gone into producing the document. While no document is perfect, it is very forward thinking and is on the right track.

## **REPORTS**

Mr. Marpert distributed to the Commissioners a document showing the changes made by the City Council to the Planning Commission's recommendations for the land use related elements.

Commissioner Dunn said it was her recollection that the action taken with regard to bringing the corner of the Bartells property into Town Center would require an additional public hearing. She said that is one reason the Commission chose not to move in that direction. Mr. Marpert said he would seek additional information and share it with the Commissioners.

## **SCHEDULING/TOPICS FOR NEXT MEETING(S)**

Mr. Marpert noted that there will be no Commission meeting on August 25.

Chair Snodgrass and Commissioner Allen indicated that they would not be able to attend the September 8 meeting.

## **ADJOURN**

Chair Snodgrass adjourned the meeting at 10:21 p.m.

Minutes Approved On:

Recording Secretary